

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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| |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | MBD No. 06-10427 PBS |
| Petitioner, |) | |
| |) | |
| v. |) | |
| |) | |
| JEFFREY SHIELDS, |) | |
| (Reg. No. 10760-036), |) | |
| |) | |
| Respondent. |) | |
| |) | |

**STIPULATION RE: BRIEFING SCHEDULE
AND ASSENTED-TO MOTION FOR LEAVE TO FILE EXCESS PAGES**

Petitioner, the United States of America, after consultation with counsel for the respondent, Jeffrey Shields, hereby stipulate to the following proposed briefing schedule regarding respondent's motion to dismiss: (1) the opposition of the United States shall be due on or before June 27, 2007; and (2) respondent's reply brief shall be due on or before July 20, 2007. The United States also hereby moves for leave to file an opposition memorandum of equal length to that filed by the respondent, to which respondent, through counsel, has also assented. In further support thereof, the United States says as follows:

1. On January 8, 2007, this Court conducted a status conference in this matter, and established a briefing schedule regarding respondent's anticipated constitutional challenges to section 302(4) of the Adam Walsh Child Protection and Safety Act, Pub. L. No. 109-248, Title III, § 302(4), 120 Stat. 620 (July 27, 2006), codified at 18 U.S.C. § 4248(a). Specifically, respondent was to address the constitutional challenges by March 8, 2007, the government was to respond by March 30, 2007, and a hearing was scheduled for May 3, 2007.

2. Respondent subsequently sought extensions of time through May 16, 2007, which were assented to by the United States, in which to file his constitutional challenges, which were allowed by this Court. On April 13, 2007, this Court also entered a notation on the docket that: "The May 3, 2007, hearing is canceled, to be rescheduled upon the filing of an agreed-upon schedule by the parties."

3. On May 16, 2007, respondent filed his motion to dismiss this action, which was supported by a 79-page memorandum of law. On May 23, 2007, respondent filed an assented-to motion for leave to file excess pages, which was granted by this Court on May 24, 2007.

4. The parties have consulted regarding a briefing schedule in this case and hereby propose the following:

1. The opposition of the United States shall be due on or before June 27, 2007;
2. Respondent's reply brief shall be due on or before July 20, 2007.

5. The United States also requests leave to file an opposition memorandum of equal length to that filed by the respondent in support of his motion to dismiss.

6. Undersigned counsel has communicated by telephone and e-mail with counsel for the respondent, Page Kelley, Esq., regarding the proposed briefing schedule and the request to file an opposition memorandum of equal length to that filed by the respondent, and Ms. Kelley has assented to both.

WHEREFORE, with good cause having been shown, the parties hereby request that this Court adopt the agreed-to proposed briefing schedule, and the United States requests that the Court grant it leave to file an opposition memorandum of equal length to that filed by the respondent.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Mark T. Quinlivan
MARK T. QUINLIVAN
Assistant U.S. Attorney
John Joseph Moakley U.S. Courthouse
One Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3606

Dated: June 13, 2007

LOCAL RULE 7.1(a)(2) CERTIFICATE

Pursuant to Local Rule 7.1(a)(2), I certify that I have conferred with Page Kelley, Esq., counsel for the respondent, regarding this proposed briefing schedule and motion for leave to file an opposition memorandum of equal length to that filed by the respondent, and that Ms. Kelley has assented to both.

/s/ Mark T. Quinlivan
MARK T. QUINLIVAN
Assistant U.S. Attorney